THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14555 of 2007

Dated:18.07.2007

Between:

Chitikesula Lakshmidevamma, W/o.Late Gowrayya Setty.
and others.

...Petitioners.

and

The District Collector, Anantapur,
and others.

...Respondents.

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ORDER:

Sri C.Lakshmi Narayana, SAS Agent attached to Kalyandurg Post Office, his wife Smt.Kamalakshamma, and his son C.Madhusudhana, SAS Agent and other two family members committed suicide on 10.01.2006. It was brought to the notice of the District Collector that Lakshmi Narayana and Madhusudhana misappropriated about Rs.15,00,000/-, which they collected from investors in the Post Office. Therefore, the District Collector addressed a communication to the Mandal Revenue Officer requesting him to conduct enquiry into the matter with regard to the properties owned by late Lakshmi Narayana. In that context, the first respondent also advised the Mandal Revenue Officer, Kalyandurg, to see that their house bearing Door No.8/1180, Hindupur Road, Kalyandurg, is not sold to any third party until further orders. Aggrieved by the same, the petitioners filed the present Writ Petition.

Be it noted, the first petitioner is the mother and petitioners 2 to 6 are the brothers of late Lakshmi Narayana. It is the case of the petitioners that the subject property is not the exclusive property of late Lakshmi Narayana. If that be so, nothing prevents the petitioners to approach the District Collector and request to withdraw the order passed by him. Indeed, as rightly pointed out by the learned Counsel for the petitioners, even if it is

competent for the revenue authorities to conduct enquiry into the property particulars of late Lakshmi Narayana and his family members, the said authority or any other authorities have no such jurisdiction under the Registration Act, 1908, to direct the Sub-Registrar not to register the property. The District Collector to whom a representation is already made on 29.03.2007 should keep this aspect of the matter in mind.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

18.07.2007
vs